

PUBLIC HEARING—October 13, 1965

Appeal #8404 Esther G. Weiss, et al. appellants.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and unanimously carried the following Order was entered on October 19, 1965:

ORDERED:

That the appeal for a variance from the provisions of paras. 3307.13 and 3307.14 of the Zoning Regulations to permit erection of group of apartment buildings with division walls from the ground up or from the lowest floor up as single buildings for the purpose of these regulations, having an FAR of .9 and in excess of 25% lot occupancy and side yards less than 20 feet in width, and having front entrances having more than four dwellings units per floor facing the street at 50th Street and between C and Call Sts. S.E., lots 1, 2, 16, 17, 18 and 19, square 5323, be granted for the following reasons:

(1) From the records and the evidence adduced at the hearing, we are of the opinion that appellant has proven a case of hardship within the meaning of Section 8207.11 of the Zoning Regulations due to the difficult terrain and shape of the property. We feel that the waiver of side yard requirements of 20 feet down to 14 and 11 feet and the FAR of .9 with excess of 25% lot occupancy, can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and map.

(2) The Board also finds that the vehicular access to all the groups are provided and adequate. The Board further finds that the erection of this group of apartment buildings will not affect adversely the present character or future development of the neighborhood.

(3) These apartment buildings will be located in the R-5-A District and in the opinion of the Board their erection will be in harmony with the general purpose and intent of the Zoning Regulations and maps and will not tend to affect adversely the use of neighboring property in accordance with these regulations and maps.

(4) There was no objection to the granting of this appeal registered at the public hearing.